

DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP
Attorneys for the Debtor
One North Lexington Avenue
White Plains, New York 10601
(914) 681-0200
Jonathan S. Pasternak, Esq.
Erica R. Aisner, Esq.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

THE FRESH ICE CREAM COMPANY, LLC
d/b/a Craft Collective
d/b/a Steve's Ice Cream,

Chapter 11
Case No. 17-40716-ess

Debtor.

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CERTIFICATION OF BALLOTS

The above captioned Debtor having filed a First Amended Chapter 11 Liquidating Plan dated October 17, 2017 (the "Plan"); and ballots on said Plan having been solicited pursuant to Order dated October 19, 2017 by DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, attorneys for the Debtor, and Classes 1, 2 and 4 being unimpaired and Class 3 being the only impaired Class of claimholders, it is hereby certified that the ballots have been filed with DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, counsel to the Debtor, as follows:

**Class 1 – Allowed Non-Tax Priority Claims
Unimpaired & Presumed to Accept the Plan**

VOTES NOT SOLICITED

**Class 2 – Allowed Secured Claims
Unimpaired & Deemed to Accept the Plan
VOTES NOT SOLICITED**

**Class 3- Allowed General Unsecured Claims
Impaired and Entitled to Vote on the Plan**

Creditor	Amount	Accept/Reject
1 Anthony Cardone	\$169,575.00 ¹	Accepts
2 Blake Sutcliffe	\$50,000.00 ²	Accepts
3 Brand Equity Partners, LLC	\$1,090,306.12	Accepts
4 Celilo Group Media	\$1,750.00	Accepts
5 Debora A. Russell	\$25,000.00	Accepts
6 Dan Ozizmir	\$806,122.43 ³	Accepts
7 David J. Lebous	\$25,000.00	Accepts
8 Edmund Bingham	\$113,900.00	Accepts
9 F. E. Jones Construction, Inc.	\$25,000.00	Accepts
10 Farrel Fritz, P.C.	\$19,087.36	Accepts
11 GTI Designs, Inc.	\$110,742.07 ⁴	Accepts
12 Howard Berman	\$2,193.51	Accepts
13 Hudsonville Creamery & Ice Cream Co., LLC	\$476,785.00	Accepts
14 Hutt Trucking Company	\$8,407.96	Accepts
15 Island Container Corp.	\$4,999.89	Accepts
16 James Koniuto	\$10,000.00 ⁵	Accepts
17 Kevin M. Sisson	\$150,000.00	Accepts
18 Kildare Asset Management, LLC	\$205,876.00	Accepts
19 Martin and Mary Smith	\$66,326.41 ⁶	Accepts
20 Michael and Latrice Colsten	\$10,204.08	Accepts
21 Michael Peters	\$102,040.81	Accepts
22 Michael Venuti	\$35,000.00	Accepts
23 MTLR, Corp. dba Mendon Truck Leasing & Rental	\$19,101.47	Accepts
24 National Marketshare Group, Inc. ⁷	\$8,241.09	Accepts

¹ Ballot references claim in the \$180,000. Proof of claim filed in the amount of \$169,575.

² Ballot references claim in the amount of \$215,000. Proof of claim filed in the amount of \$50,000.

³ Ballot references claim in the amount of \$1,889,576. No proof of claim was filed but claim was scheduled by the Debtor in the amount of \$806,122.43.

⁴ Ballot references claim in the amount of \$159,909.42. Proof of claim filed in the amount of \$110,742.07.

⁵ Ballot references claim in the amount of \$20,000. Proof of claim filed in the amount of \$10,000.

⁶ Ballot references claim in the amount of \$50,000. Proof of claim filed in the amount of \$66,326.41.

⁷ Creditor filed its proof of claim and asserted priority status. The Debtor will file an objection to this classification prior to Confirmation. However, ballot was submitted by creditor as a holder of a Class 3 Claim and as such, it is included in this Certification.

25	Paul Tierney	\$30,000.00	Accepts
26	Schoep's Ice Cream Co., Inc.	\$1,017,597.20	Accepts
27	SRSJ Group, Inc.	\$240,000.00 ⁸	Accepts
1	ACP BK I LLC	\$100,981.91	Rejects
Total Amount		\$4,924,238.31	28
Accepting		\$4,823,256.40	27
Rejecting		\$100,981.91	1

**Class 3 – Interests
Unimpaired and Deemed to Accept**

VOTES NOT SOLICITED

It appears therefore that:

- a. Class 1, 2 and 4 creditors have neither accepted nor rejected the Plan, are unimpaired and are deemed to have accepted the Plan pursuant to 11 U.S.C. Section 1126(f); and
- b. Class 2 creditors holding at least 2/3 in amount of nondisputed, voted claims, and 1/2 in number of nondisputed, voted claims or interests, as applicable, have voted to accept the Plan;

Dated: White Plains, New York
December 6, 2017

**DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP**
Attorneys for the Debtor
One North Lexington Avenue, 11th Floor
White Plains, New York 10601
(914) 681-0200

By: /s/ Jonathan S. Pasternak, Esq.
Jonathan S. Pasternak, Esq.

⁸ Ballot references claim in the amount of \$376,152.00. No proof of claim was filed by claim was scheduled by the Debtor in the amount of \$240,000.